

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1268

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
9 SERVICES AND OPERATING EXPENSES FOR THE  
10 DEPARTMENT OF HUMAN SERVICES - ADMINISTRATION FOR  
11 THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR  
12 OTHER PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES  
16 - ADMINISTRATION APPROPRIATION FOR THE  
17 2011-2012 FISCAL YEAR.  
18  
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20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. REGULAR SALARIES - DIRECTOR'S OFFICE - OFFICE OF CHIEF  
24 COUNSEL. There is hereby established for the Department of Human Services -  
25 Director's Office - Office of Chief Counsel for the 2011-2012 fiscal year,  
26 the following maximum number of regular employees.  
27

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2011-2012
32	(1) U011U	DHS DIRECTOR	1	\$152,684
33	(2) L023N	DHS DEPUTY DIRECTOR	2	GRADE N915
34	(3) G004N	DHS CHIEF ATTORNEY	1	GRADE N908
35	(4) N128N	DHS ASST DIR QUALITY ASSURANCE	1	GRADE N904
36	(5) A007C	AUDIT MANAGER	2	GRADE C129



1	(6)	G004C	MANAGING ATTORNEY	3	GRADE C129
2	(7)	G025C	ATTORNEY SUPERVISOR	4	GRADE C127
3	(8)	G024C	DEPARTMENT ADMINISTRATIVE LAW JUDGE	3	GRADE C127
4	(9)	G047C	ATTORNEY SPECIALIST	53	GRADE C126
5	(10)	G042C	DHS ADMINISTRATIVE LAW JUDGE	6	GRADE C126
6	(11)	D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE C124
7	(12)	A044C	AUDIT COORDINATOR	3	GRADE C122
8	(13)	G124C	OMBUDSMAN	1	GRADE C120
9	(14)	G152C	DHS PROGRAM MANAGER	4	GRADE C119
10	(15)	A066C	INTERNAL AUDITOR	4	GRADE C119
11	(16)	A060C	SENIOR AUDITOR	13	GRADE C119
12	(17)	G170C	DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE C118
13	(18)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
14	(19)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
15	(20)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
16	(21)	G179C	LEGAL SERVICES SPECIALIST	2	GRADE C117
17	(22)	X125C	FRAUD INVESTIGATOR COORDINATOR	3	GRADE C116
18	(23)	P031C	MEDIA SPECIALIST	1	GRADE C116
19	(24)	G210C	DHS PROGRAM SPECIALIST	3	GRADE C115
20	(25)	X156C	FRAUD INVESTIGATOR	6	GRADE C114
21	(26)	C046C	LEGAL SUPPORT SPECIALIST	36	GRADE C113
22	(27)	C056C	ADMINISTRATIVE SPECIALIST III	8	GRADE C112
23	(28)	C087C	ADMINISTRATIVE SPECIALIST I	<u>2</u>	GRADE C106
24			MAX. NO. OF EMPLOYEES	174	

25  
 26 SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby  
 27 established for the Department of Human Services - Division of Administrative  
 28 Services for the 2011-2012 fiscal year, the following maximum number of  
 29 regular employees.

30					Maximum Annual
31					Salary Rate
32					Fiscal Year
33	Item	Class		No. of	
34	No.	Code	Title	Employees	2011-2012
35	(1)	N016N	DHS DEP DIR ADMINISTRATIVE SVCS	1	GRADE N911
36	(2)	N040N	DHS CHIEF INFORMATION OFFICER	1	GRADE N909

1	(3)	N112N	DHS ASST DEP DIR FIN SUPPORT SYSTEM	1	GRADE N905
2	(4)	N111N	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE N905
3	(5)	N107N	DHS/OFA ASSISTANT DIR - ACCOUNTING	1	GRADE N905
4	(6)	N109N	DHS/OFA ASSISTANT DIRECTOR	1	GRADE N905
5	(7)	R002N	DHS DIRECTOR OF HUMAN RESOURCES	1	GRADE N904
6	(8)	P004N	DHS DIRECTOR OF PUBLIC RELATIONS	1	GRADE N901
7	(9)	N167N	DHS POLICY & RESEARCH DIRECTOR	1	GRADE N901
8	(10)	G027N	DHS RESEARCH ANALYSIS MANAGER	1	GRADE N901
9	(11)	G004C	MANAGING ATTORNEY	1	GRADE C129
10	(12)	A010C	AGENCY CONTROLLER II	7	GRADE C128
11	(13)	D007C	INFORMATION SYSTEMS MANAGER	4	GRADE C128
12	(14)	A027C	ACCOUNTING OPERATIONS MANAGER	1	GRADE C125
13	(15)	R008C	DHS EMPLOYEE RELATIONS MANAGER	1	GRADE C125
14	(16)	A031C	ASSISTANT CONTROLLER	7	GRADE C124
15	(17)	R013C	AGENCY HUMAN RESOURCES MANAGER	2	GRADE C123
16	(18)	G099C	DHS PROGRAM ADMINISTRATOR	2	GRADE C122
17	(19)	A052C	ACCOUNTING COORDINATOR	4	GRADE C121
18	(20)	A047C	FINANCIAL ANALYST II	1	GRADE C121
19	(21)	G109C	GRANTS MANAGER	2	GRADE C121
20	(22)	R014C	PERSONNEL MANAGER	1	GRADE C121
21	(23)	V004C	PROCUREMENT MANAGER	1	GRADE C121
22	(24)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE C121
23	(25)	A056C	DHS FINANCIAL SECTION MANAGER	11	GRADE C120
24	(26)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
25	(27)	R021C	BUDGET ANALYST	1	GRADE C119
26	(28)	D063C	COMPUTER SUPPORT SPECIALIST	9	GRADE C119
27	(29)	R020C	DHS EMPLOYEE RELATIONS/CIVIL RIGHTS	1	GRADE C119
28	(30)	G152C	DHS PROGRAM MANAGER	3	GRADE C119
29	(31)	G147C	GRANTS COORDINATOR	2	GRADE C119
30	(32)	D061C	INFORMATION SYSTEMS COORDINATION SP	5	GRADE C119
31	(33)	A065C	PAYROLL SERVICES COORDINATOR	2	GRADE C119
32	(34)	V007C	PROCUREMENT COORDINATOR	4	GRADE C119
33	(35)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
34	(36)	R024C	ASSISTANT PERSONNEL MANAGER	8	GRADE C118
35	(37)	A075C	FINANCIAL ANALYST I	1	GRADE C118
36	(38)	A074C	FISCAL SUPPORT SUPERVISOR	10	GRADE C118

1	(39)	D064C	WEBSITE DEVELOPER	1	GRADE C118
2	(40)	R027C	BUDGET SPECIALIST	7	GRADE C117
3	(41)	R026C	CIVIL RIGHTS/EMPLOYEE RELATIONS COORD	5	GRADE C117
4	(42)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE C117
5	(43)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
6	(44)	G180C	GRANTS ANALYST	33	GRADE C117
7	(45)	R025C	HUMAN RESOURCES ANALYST	5	GRADE C117
8	(46)	G178C	POLICY DEVELOPMENT COORDINATOR	2	GRADE C117
9	(47)	B076C	RESEARCH PROJECT ANALYST	2	GRADE C117
10	(48)	E040C	STAFF DEVELOPMENT COORDINATOR	5	GRADE C117
11	(49)	A089C	ACCOUNTANT I	15	GRADE C116
12	(50)	R029C	HUMAN RESOURCES RECRUITER	5	GRADE C116
13	(51)	C037C	ADMINISTRATIVE ANALYST	6	GRADE C115
14	(52)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
15	(53)	G210C	DHS PROGRAM SPECIALIST	4	GRADE C115
16	(54)	A091C	FISCAL SUPPORT ANALYST	15	GRADE C115
17	(55)	D077C	HELP DESK SPECIALIST	1	GRADE C115
18	(56)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
19	(57)	S032C	PRINT SHOP SUPERVISOR	1	GRADE C115
20	(58)	V015C	PURCHASING SPECIALIST	5	GRADE C115
21	(59)	P041C	COMMERCIAL GRAPHIC ARTIST	1	GRADE C114
22	(60)	C040C	LEASING SPECIALIST	1	GRADE C114
23	(61)	A093C	STATISTICIAN	4	GRADE C114
24	(62)	D081C	TELECOMMUNICATIONS SPECIALIST	1	GRADE C114
25	(63)	V018C	WAREHOUSE MANAGER	1	GRADE C114
26	(64)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	2	GRADE C113
27	(65)	R036C	HUMAN RESOURCES SPECIALIST	6	GRADE C113
28	(66)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
29	(67)	C043C	RECORDS MANAGEMENT ANALYST	7	GRADE C113
30	(68)	C056C	ADMINISTRATIVE SPECIALIST III	21	GRADE C112
31	(69)	A098C	FISCAL SUPPORT SPECIALIST	35	GRADE C112
32	(70)	S054C	PRINTER	4	GRADE C111
33	(71)	R038C	HUMAN RESOURCES ASSISTANT	9	GRADE C110
34	(72)	V025C	WAREHOUSE SPECIALIST	3	GRADE C110
35	(73)	C073C	ADMINISTRATIVE SPECIALIST II	14	GRADE C109
36	(74)	C070C	DUPLICATION ASSISTANT	2	GRADE C109

1	(75)	A102C	FISCAL SUPPORT TECHNICIAN	2	GRADE C108
2	(76)	V027C	INVENTORY CONTROL TECHNICIAN	3	GRADE C108
3	(77)	C083C	MAIL SERVICES COORDINATOR	1	GRADE C107
4	(78)	C087C	ADMINISTRATIVE SPECIALIST I	7	GRADE C106
5	(79)	V028C	WAREHOUSE WORKER	1	GRADE C106
6	(80)	C088C	MAIL SERVICES ASSISTANT	<u>5</u>	GRADE C105
7			MAX. NO. OF EMPLOYEES	358	

8

9 SECTION 3. REGULAR SALARIES - VOLUNTEERISM. There is hereby  
 10 established for the Department of Human Services - Division of Volunteerism  
 11 for the 2011-2012 fiscal year, the following maximum number of regular  
 12 employees.

13

14				Maximum Annual	
15				Maximum	Salary Rate
16	Item	Class		No. of	Fiscal Year
17	No.	Code	Title	Employees	2011-2012
18	(1)	N171N	DHS DEP DIR OFFICE OF VOLUNTEER SER	1	GRADE N902
19	(2)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
20	(3)	G080C	NATIONAL & COMMUNITY SERVICES EXEC	1	GRADE C123
21	(4)	G152C	DHS PROGRAM MANAGER	1	GRADE C119
22	(5)	G147C	GRANTS COORDINATOR	1	GRADE C119
23	(6)	M037C	PROGRAM ELIGIBILITY SUPERVISOR	1	GRADE C117
24	(7)	E040C	STAFF DEVELOPMENT COORDINATOR	1	GRADE C117
25	(8)	G176C	VOLUNTEER PROGRAM MANAGER	1	GRADE C117
26	(9)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
27	(10)	G202C	VOLUNTEER PROGRAM COORDINATOR	8	GRADE C115
28	(11)	G236C	DHS/DOV AREA COORDINATOR	1	GRADE C114
29	(12)	G214C	GRANTS SPECIALIST	1	GRADE C114
30	(13)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
31	(14)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
32	(15)	C073C	ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE C109
33			MAX. NO. OF EMPLOYEES	24	

34

35 SECTION 4. EXTRA HELP - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL.  
 36 There is hereby authorized, for the Department of Human Services - Director's

1 Office - Office of Chief Counsel for the 2011-2012 fiscal year, the following  
 2 maximum number of part-time or temporary employees, to be known as "Extra  
 3 Help", payable from funds appropriated herein for such purposes: ten (10)  
 4 temporary or part-time employees, when needed, at rates of pay not to exceed  
 5 those provided in the Uniform Classification and Compensation Act, or its  
 6 successor, or this act for the appropriate classification.

7  
 8 SECTION 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby  
 9 authorized, for the Department of Human Services - Division of Administrative  
 10 Services for the 2011-2012 fiscal year, the following maximum number of part-  
 11 time or temporary employees, to be known as "Extra Help", payable from funds  
 12 appropriated herein for such purposes: twenty (20) temporary or part-time  
 13 employees, when needed, at rates of pay not to exceed those provided in the  
 14 Uniform Classification and Compensation Act, or its successor, or this act  
 15 for the appropriate classification.

16  
 17 SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL  
 18 - OPERATIONS. There is hereby appropriated, to the Department of Human  
 19 Services - Director's Office - Office of Chief Counsel, to be payable from  
 20 the paying account as determined by the Chief Fiscal Officer of the State,  
 21 for personal services and operating expenses of the Department of Human  
 22 Services - Director's Office - Office of Chief Counsel for the fiscal year  
 23 ending June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) REGULAR SALARIES	\$8,578,684
(02) EXTRA HELP	200,348
(03) PERSONAL SERVICES MATCHING	2,630,956
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,243,110
(B) CONF. & TRAVEL	32,472
(C) PROF. FEES	11,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) DATA PROCESSING SERVICES	<u>12,300</u>

1 TOTAL AMOUNT APPROPRIATED \$12,708,870

2

3 SECTION 7. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There  
 4 is hereby appropriated, to the Department of Human Services - Division of  
 5 Administrative Services, to be payable from the paying account as determined  
 6 by the Chief Fiscal Officer of the State, for personal services and operating  
 7 expenses of the Department of Human Services - Division of Administrative  
 8 Services for the fiscal year ending June 30, 2012, the following:

9

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2011-2012</u>
12 (01) REGULAR SALARIES	\$14,100,311
13 (02) EXTRA HELP	64,480
14 (03) PERSONAL SERVICES MATCHING	4,641,803
15 (04) OVERTIME	10,000
16 (05) MAINT. & GEN. OPERATION	
17 (A) OPER. EXPENSE	3,104,383
18 (B) CONF. & TRAVEL	20,000
19 (C) PROF. FEES	10,385,172
20 (D) CAP. OUTLAY	0
21 (E) DATA PROC.	0
22 (06) DATA PROCESSING SERVICES	1,967,600
23 (07) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>25,000</u>
24 TOTAL AMOUNT APPROPRIATED	<u>\$34,318,749</u>

25

26 SECTION 8. APPROPRIATION - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC  
 27 EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department  
 28 of Human Services - Division of Administrative Services, to be payable from  
 29 cash funds as defined by Arkansas Code 19-4-801 of the Department of Human  
 30 Services - Division of Administrative Services, for purchase of services of  
 31 the Department of Human Services - Division of Administrative Services for  
 32 the fiscal year ending June 30, 2012, the following:

33

34 ITEM	FISCAL YEAR
35 <u>NO.</u>	<u>2011-2012</u>
36 (01) PURCHASE OF SERVICES	<u>\$120,000</u>

1  
 2 SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING  
 3 CONSTRUCTION. There is hereby appropriated, to the Department of Human  
 4 Services - Division of Administrative Services, to be payable from the  
 5 Department of Human Services Renovation Fund, for construction, renovation,  
 6 maintenance, equipment and repairs for various buildings operated by the  
 7 Department of Human Services for the fiscal year ending June 30, 2012, the  
 8 following:

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2011-2012</u>
12 (01) CONSTRUCTION	<u>\$7,688,100</u>

13  
 14 SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED  
 15 COST. There is hereby appropriated, to the Department of Human Services -  
 16 Division of Administrative Services, to be payable from the DHS Consolidated  
 17 Cost Revolving Fund, for operating expenses of the Department of Human  
 18 Services - Division of Administrative Services - Consolidated Cost for the  
 19 fiscal year ending June 30, 2012, the following:

21 ITEM	FISCAL YEAR
22 <u>NO.</u>	<u>2011-2012</u>
23 (01) MAINT. & GEN. OPERATION	
24 (A) OPER. EXPENSE	\$821,500
25 (B) CONF. & TRAVEL	0
26 (C) PROF. FEES	0
27 (D) CAP. OUTLAY	0
28 (E) DATA PROC.	<u>0</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$821,500</u>

30  
 31 SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES  
 32 BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of  
 33 Human Services - Division of Administrative Services, to be payable from the  
 34 federal funds as designated by the Chief Fiscal Officer of the State, for  
 35 purchase of services of the Department of Human Services - Division of  
 36 Administrative Services for the fiscal year ending June 30, 2012, the



1 following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2011-2012</u>
5 (01) PURCHASE OF SERVICES	<u>\$139,733</u>

6

7 SECTION 12. APPROPRIATION - ADMINISTRATIVE SERVICES - AMERICAN RECOVERY  
 8 AND REINVESTMENT ACT OF 2009. There is hereby appropriated, to the  
 9 Department of Human Services - Division of Administrative Services, to be  
 10 payable from the paying account as determined by the Chief Fiscal Officer of  
 11 the State, for Department of Human Services capital improvements, information  
 12 technologies and one-time costs of the Department of Human Services -  
 13 Division of Administrative Services for the fiscal year ending June 30, 2012,  
 14 the following:

15

16 ITEM	FISCAL YEAR
17 <u>NO.</u>	<u>2011-2012</u>
18 (01) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>\$21,619,313</u>

19

20 SECTION 13. APPROPRIATION - VOLUNTEERISM - OPERATIONS. There is hereby  
 21 appropriated, to the Department of Human Services - Division of Volunteerism,  
 22 to be payable from the paying account as determined by the Chief Fiscal  
 23 Officer of the State, for personal services and operating expenses of the  
 24 Department of Human Services - Division of Volunteerism for the fiscal year  
 25 ending June 30, 2012, the following:

26

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2011-2012</u>
29 (01) REGULAR SALARIES	\$945,074
30 (02) PERSONAL SERVICES MATCHING	310,679
31 (03) OVERTIME	1,000
32 (04) MAINT. & GEN. OPERATION	
33 (A) OPER. EXPENSE	192,730
34 (B) CONF. & TRAVEL	22,000
35 (C) PROF. FEES	10,000
36 (D) CAP. OUTLAY	0

1	(E) DATA PROC.	0
2	(05) DELTA SERVICE CORPS GRANTS	2,410,704
3	(06) DATA PROCESSING SERVICES	<u>8,200</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,900,387</u></u>

5  
6 SECTION 14. APPROPRIATION - VOLUNTEERISM - CASH. There is hereby  
7 appropriated, to the Department of Human Services - Division of Volunteerism,  
8 to be payable from the cash fund deposited in the State Treasury as  
9 determined by the Chief Fiscal Officer of the State, for operating expenses  
10 of the Department of Human Services - Division of Volunteerism for the fiscal  
11 year ending June 30, 2012, the following:

12	ITEM	FISCAL YEAR
13	NO.	<u>2011-2012</u>
14	(01) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	\$7,703
16	(B) CONF. & TRAVEL	2,865
17	(C) PROF. FEES	1,432
18	(D) CAP. OUTLAY	0
19	(E) DATA PROC.	<u>0</u>
20	TOTAL AMOUNT APPROPRIATED	<u><u>\$12,000</u></u>

21  
22  
23 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

25 DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon  
26 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the  
27 Department of Human Services may transfer an amount up to but not to exceed  
28 \$12,000 and deposit same in a bank account for the purpose of purchasing  
29 evidence in the course of investigating the illegal use of food  
30 stamps/Electronic Benefit Transfer (EBT) cards. The funds so transferred  
31 shall be subject to accounting in a manner substantially similar to that  
32 employed by the Arkansas State Police for such transactions; provided  
33 however, that information tending to identify participants in such  
34 transactions shall be exempt from the Arkansas Freedom of Information Act.

35 The provisions of this section shall be in effect only from July 1, ~~2010~~  
36 2011 through June 30, ~~2011~~ 2012.

1  
2 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN  
4 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

5 (a) There is established on the books of the Treasurer of State, Auditor  
6 of State, and the Chief Fiscal Officer of the State a fund to be known as the  
7 Department of Human Services Renovation Fund.

8 (b) This fund shall be used for constructing, acquiring, renovating,  
9 maintaining, repairing, and equipping facilities of the Department of Human  
10 Services and for paying disallowances by the federal government.

11 (c) The fund shall consist of:

12 (1) Federal reimbursement received by the Department of Human Services and  
13 deposited in the various fund accounts of the department; and

14 (2) General revenues transferred from the Division of Youth Services, the  
15 Division of Behavioral Health, and the Division of Developmental Disabilities  
16 Services for the purposes of repairing, renovating, equipping, acquiring and  
17 constructing Department of Human Services facilities with an annual maximum  
18 of five million dollars (\$5,000,000). The projects for which these transfers  
19 are authorized must be projects which were unanticipated during the preceding  
20 regular session of the Arkansas General Assembly and must be projects which,  
21 if not carried out in the interim period between regular sessions of the  
22 Arkansas General Assembly would cause greater harm to the facilities, clients  
23 or programs of the Department of Human Services than to wait until the next  
24 regular session.

25 (3) Other non-general revenue funds as may be available within the Department  
26 of Human Services that can be used for the purposes of this fund.

27 (d)(1) At the request of the Director of the Department of Human  
28 Services, and upon certification of the availability of such funds, the Chief  
29 Fiscal Officer of the State shall initiate the necessary transfer documents  
30 to reflect the transfer on the books of record of the Treasurer of State, the  
31 Auditor of State, the Chief Fiscal Officer of the State, and the Department  
32 of Human Services.

33 (2) The Director of the Department of Human Services shall submit any  
34 transfer plan to and must receive approval of the plan from the Chief Fiscal  
35 Officer of the State, the Governor and the Arkansas Legislative Council prior  
36 to the effective date of the transfer.

1 (e) Provided, that any non-general revenue funding that may remain in  
2 the fund at the end of any fiscal year shall be carried over into the next  
3 fiscal year and all obligated general revenue funding that may remain in the  
4 fund at the end of any fiscal year shall be carried over into the next fiscal  
5 year to satisfy such legal and contractual obligations that have been entered  
6 into prior to the end of the fiscal year.

7 (f) Determining the amount of funds appropriated to a state agency is  
8 the prerogative of the General Assembly and is usually accomplished by  
9 delineating specific line items and by identifying the appropriation and  
10 funding attached to that line item. The General Assembly has determined that  
11 the Department of Human Services could be operated more efficiently if some  
12 flexibility is given to that agency. That flexibility is being accomplished  
13 by providing transfer authority in subsection (d) of this section, and since  
14 the General Assembly has granted the agency broad powers under the transfer  
15 authority concept, it is both necessary and appropriate that the General  
16 Assembly maintain oversight of the utilization of the transfer authority by  
17 requiring prior approval of the Legislative Council in the utilization of  
18 this transfer authority. Therefore, the requirement of approval by the  
19 Legislative Council is not a severable part of this section. If the  
20 requirement of approval by the Legislative Council is ruled unconstitutional  
21 by a court jurisdiction, this entire section is void.

22 The provisions of this section shall be in effect only from July 1, ~~2010~~  
23 2011 through June 30, ~~2011~~ 2012.

24  
25 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
27 AUTHORITY. The Director of the Department of Human Services shall have  
28 transfer authority provided by the following:

29 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the  
30 Department of Human Services is authorized to request fund transfers  
31 according to the provisions established by Arkansas Code Ann. 19-5-1020,  
32 Department of Human Services Renovation Fund, as amended herein; and

33 (b) MATCH TRANSFER. The Director of the Department of Human Services,  
34 with the approval of the Chief Fiscal Officer of the State, is authorized to  
35 effect inter-agency and inter-divisional fund transfers for the purpose of  
36 providing the State's matching share for payments made to that Division or

1 Office or its service providers for services eligible for federal  
2 reimbursement under programs administered by the Department of Human  
3 Services. The Department of Human Services shall report to the Legislative  
4 Council or Joint Budget Committee on a quarterly basis all fund transfers  
5 made in accordance with the authority granted by this section; and

6 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS.

7 The Division of Youth Services (DYS) is authorized to fulfill its  
8 responsibility to house offenders between the ages of 18 and 21 and to  
9 separate juvenile offenders by age and seriousness of offense by either  
10 employing additional state employees and providing the corresponding  
11 operating expenses or entering into professional services contracts. If the  
12 Division of Youth Services determines that the Division needs to employ state  
13 employees to fulfill the housing and separation requirements, they may  
14 transfer up to the total amount appropriated for the DYS - Residential  
15 Services Program appropriation to the appropriate DYS appropriation and line  
16 items, upon approval of the Chief Fiscal Officer of the State, and prior  
17 review by the Legislative Council; and

18 (d) REALLOCATION OF RESOURCES: (1) The Department of Human Services  
19 (DHS) provides hundreds of different services to over 1 million Arkansans.  
20 The specific mix of service needs and the funding and staffing required to  
21 provide them can vary significantly based on many factors, including natural  
22 disasters, changing federal mandates and funding sources, demographic shifts,  
23 fluctuating court-ordered services, social trends, and job market variations  
24 such as nursing shortages. The impact of these factors through the course of  
25 any fiscal year make it very difficult for the Department to accurately  
26 predict the exact needs for funding, appropriation and positions in each of  
27 its over 100 different appropriations. To ensure that it can respond quickly  
28 to changing client needs and make the most effective use of the resources  
29 allocated to it, the Department of Human Services shall be authorized to  
30 utilize the reallocation of resource authority to make the proper adjustments  
31 to the budgets within the Department. Therefore, upon determination by the  
32 Director of the Department of Human Services that a reallocation of resources  
33 within the department is necessary for the efficient and effective operation  
34 of the department, the director, with approval of the Governor, shall have  
35 the authority to request, from the Chief Fiscal Officer of the State, a  
36 transfer of positions, appropriations, line item appropriations, and funds

1 within or between existing and newly created divisions, offices, sections, or  
2 units of the department. Provided, however, that no transfer of funds or  
3 appropriation that provides direct support or matching support for the  
4 Arkansas Medicaid Program shall be made to any other fund account or  
5 appropriation that does not directly support the Arkansas Medicaid Program.  
6 Further, no positions, funds, or appropriation authorized during the budget  
7 process for the Division of Children and Family Services compliance with  
8 initiatives established under the Angela R. consent decree shall be  
9 transferred to any other division. Nothing in this provision is intended to  
10 prevent the one-time transfers of savings in any other program to the  
11 Arkansas Medicaid Program, with the exception of the provisions previously  
12 cited for the Division of Children and Family Services – Angela R. consent  
13 decree. The Division of Developmental Disabilities – Grants to Community  
14 Providers line item of the Developmental Disabilities Services - Grants-in-  
15 Aid appropriation may not be decreased. The appropriation, funding, and  
16 positions provided for the six Human Development Centers shall remain at a  
17 level sufficient to ensure quality care for the Centers' residents. The  
18 exemptions provided in this subsection whereby certain DHS Programs and  
19 Divisions are protected from appropriation, fund, or position transfers are  
20 applicable only to the reallocation or transfer authority granted herein, and  
21 not by any reductions which are applicable to all state programs.  
22 The Director of the Department of Human Services shall submit any requests  
23 for transfers to and must receive approval of the requests for transfers from  
24 the Chief Fiscal Officer of the State, the Governor, and the Arkansas  
25 Legislative Council prior to the effective date of the transfers. Provided,  
26 however, that the Department of Human Services shall be limited to submitting  
27 no more than two reallocation of resources transfer requests during any  
28 fiscal year. In each Departmental request no single division will request  
29 reallocation for more than one purpose as listed in this section. Transfer  
30 authority for unforeseen purposes shall further be limited to no more than 5%  
31 of the total appropriation, funding, and positions authorized for the  
32 Department. Reallocation of resources transfers may include multiple items  
33 but shall be limited to the following purposes:  
34 i). Medicaid Program  
35 ii). Facilities and institutions costs, including operational expenses and  
36 construction/renovation/equipping expenses

- 1   iii). Departmental grants and contracts  
2   iv). Court ordered settlements and payments  
3   v). Payment of administrative expenses, including but not limited to,  
4   overtime and other costs of personnel for critical services or functions  
5   necessary to carry out the mission of the agency  
6   vi). Restructuring efforts as deemed necessary to comply with new and/or  
7   unanticipated federal or state mandates  
8   vii). Redirecting internal resources, both direct and/or indirect, to meet  
9   client needs and services

10       Determining the maximum number of employees and the maximum amount of  
11   appropriation and general revenue funding for a state agency each fiscal year  
12   is the prerogative of the General Assembly. This is usually accomplished by  
13   delineating such maximums in the appropriation act(s) for a state agency and  
14   the general revenue allocations authorized for each fund and fund account by  
15   amendment to the Revenue Stabilization law. Further, the General Assembly has  
16   determined that the Department of Human Services may operate more efficiently  
17   if some flexibility is provided to the Department of Human Services  
18   authorizing broad powers under the Reallocation of Resources provisions  
19   herein. Therefore, it is both necessary and appropriate that the General  
20   Assembly maintain oversight by requiring prior approval of the Legislative  
21   Council or Joint Budget Committee as provided by this section. The  
22   requirement of approval by the Legislative Council or Joint Budget Committee  
23   is not a severable part of this section. If the requirement of approval by  
24   the Legislative Council or Joint Budget Committee is ruled unconstitutional  
25   by a court of competent jurisdiction, this entire section is void.

26       (2) If it is determined that the requested reallocation of resources  
27   transfers should be made, the Chief Fiscal Officer of the State shall then  
28   initiate the necessary transfer documents to reflect the transfers upon the  
29   fiscal records of the Treasurer of State, the Auditor of State, the Chief  
30   Fiscal Officer of the State, and the Department of Human Services. In  
31   addition, the Chief Fiscal Officer of the State, together with the Co-  
32   Chairpersons of the Legislative Council or Joint Budget Committee, may  
33   approve, on an emergency basis, requests for utilization of this Section  
34   without prior approval of the Arkansas Legislative Council, with any such  
35   actions reported at the next meeting of the Arkansas Legislative Council.

36       The provisions of this section shall be in effect only from July 1, ~~2010~~

1 2011 through June 30, ~~2011~~ 2012.

2

3 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
5 NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a  
6 Nursing/Direct Care Education Stipend Program for the Department of Human  
7 Services is hereby authorized to pay from State and Federal Funds  
8 appropriated in each division Act. This program is for eligible nursing  
9 students who are attending accredited nursing institutions to become  
10 Registered or Licensed Practical Nurses, as well as Certified Nursing  
11 Assistants, Residential Care Assistants, Residential Care Technicians,  
12 Residential Care Supervisors and Behavioral Health Aides.

13 The stipend is \$5,000 per person per year. Any student who is awarded  
14 and accepts a stipend is under employment commitment to the respective DHS  
15 Division and is required to work for that division, in a full-time employee  
16 status effective immediately upon graduation. The student employment  
17 commitment is equal to the number of years the stipend was awarded and  
18 accepted. In the event of Employee/Student default of the employment  
19 commitment, the Employee/Student will be considered in breach of contract and  
20 repayment of the stipend will be required as specified in the Stipend  
21 Contract.

22 Each division participating in the Education Stipend Program shall  
23 determine on an annual basis, the number of student stipends available.

24 The provisions of this section shall be in effect only from July 1, ~~2010~~  
25 2011 through June 30, ~~2011~~ 2012.

26

27 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
29 NURSING/DIRECT CARE RECRUITMENT/RETENTION BONUSES. Special provision to  
30 provide Nursing/Direct Care Recruitment and Retention Bonuses for the  
31 Department of Human Services is hereby authorized to pay from State and  
32 Federal funds appropriated for each respective division. Nursing/direct care  
33 service recruitment/retention bonuses are in addition to the maximum annual  
34 amounts provided in the Regular Salaries Section of the respective Division  
35 Act for Registered Nurse, Licensed Practical Nurse, Certified Nursing  
36 Assistant, Residential Care Assistant, Residential Care Technician,



1 Residential Care Supervisor and Behavioral Health Aide. New hire nurses must  
 2 be licensed by the Arkansas State Board of Nursing. The total  
 3 recruitment/retention bonus payment commitment for eligible nurses shall not  
 4 exceed \$4,000 per Registered Nurse and \$2,000 per Licensed Practical Nurse  
 5 and \$1,000 per Certified Nursing Assistant, Residential Care Assistant,  
 6 Residential Care Technician, Residential Care Supervisor and Behavioral  
 7 Health Aide.

8 The lump sum bonus payments and employment commitment to the State will  
 9 be made in partial payments as follows:

10  
 11 Registered Nurse Classifications

- 12 \$1,000 after completing 6 months probationary employment
- 13 \$1,500 after completing 1st year employment
- 14 \$1,500 after completing 2nd year employment

15  
 16 Licensed Practical Nurse Classifications

- 17 \$ 500 after completing 6 months probationary employment
- 18 \$ 500 after completing 1st year employment
- 19 \$1,000 after completing 2nd year employment

20  
 21 Certified Nursing Assistant/Residential Care Assistant/Residential Care  
 22 Technician/Residential Care Supervisor/Behavioral Health Aide  
 23 Classifications

- 24 \$ 500 after completing 6 month probationary employment
- 25 \$ 500 after completing 1st year employment

26  
 27 Any qualified person hired and offered bonus payment described herein  
 28 will forfeit the balance of the payments if he/she voluntarily resigns or is  
 29 terminated for cause from employment from the Department of Human Services  
 30 prior to completing the required employment commitment time periods outlined  
 31 above.

32 The provisions of this section shall be in effect only from July 1, ~~2010~~  
 33 2011 through June 30, ~~2011~~ 2012.

34  
 35 SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
 36 authorized by this act shall be limited to the appropriation for such agency

1 and funds made available by law for the support of such appropriations; and  
2 the restrictions of the State Procurement Law, the General Accounting and  
3 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
4 Procedures and Restrictions Act, or their successors, and other fiscal  
5 control laws of this State, where applicable, and regulations promulgated by  
6 the Department of Finance and Administration, as authorized by law, shall be  
7 strictly complied with in disbursement of said funds.

8  
9 SECTION 21. LEGISLATIVE INTENT. It is the intent of the General  
10 Assembly that any funds disbursed under the authority of the appropriations  
11 contained in this act shall be in compliance with the stated reasons for  
12 which this act was adopted, as evidenced by the Agency Requests, Executive  
13 Recommendations and Legislative Recommendations contained in the budget  
14 manuals prepared by the Department of Finance and Administration, letters, or  
15 summarized oral testimony in the official minutes of the Arkansas Legislative  
16 Council or Joint Budget Committee which relate to its passage and adoption.

17  
18 SECTION 22. EMERGENCY CLAUSE. It is found and determined by the  
19 General Assembly, that the Constitution of the State of Arkansas prohibits  
20 the appropriation of funds for more than a one (1) year period; that the  
21 effectiveness of this Act on July 1, 2011 is essential to the operation of  
22 the agency for which the appropriations in this Act are provided, and that in  
23 the event of an extension of the legislative session, the delay in the  
24 effective date of this Act beyond July 1, 2011 could work irreparable harm  
25 upon the proper administration and provision of essential governmental  
26 programs. Therefore, an emergency is hereby declared to exist and this Act  
27 being necessary for the immediate preservation of the public peace, health  
28 and safety shall be in full force and effect from and after July 1, 2011.